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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/889,586	08/01/2001	Aaron Lewis	LEWIS128519	LEWIS128519 3004	
23294	7590 10/26/2004		EXAMINER		
JONES, TULLAR & COOPER, P.C.			NGUYEN, KIET TUAN		
P.O. BOX 2266 EADS STATION ARLINGTON, VA 22202			ART UNIT PAPE		
	,		2881		

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applicatio	n No.	Applicant(s)				
Office Action Summary		09/889,586 LEWIS, AARON		LEWIS, AARON				
		Examiner		Art Unit				
		Kiet T. Ngu	<u>*</u>	2881				
Period f	The MAILING DATE of this communication apports or Reply	pears on the	cover sheet with the c	orrespondence addres	s			
THE - Extended - aftended - if thended - fail - Fail	MORTENED STATUTORY PERIOD FOR REPL MAILING DATE OF THIS COMMUNICATION. ensions of time may be available under the provisions of 37 CFR 1.1 r SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a repl operiod for reply is specified above, the maximum statutory period ure to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing patent term adjustment. See 37 CFR 1.704(b).	136(a). In no ever ly within the statut will apply and will e, cause the appli	nt, however, may a reply be time ory minimum of thirty (30) days expire SIX (6) MONTHS from cation to become ABANDONEI	nely filed s will be considered timely. the mailing date of this commur (35 U.S.C. § 133).	nication.			
Status								
1)🖂	Responsive to communication(s) filed on <u>04 October 2004</u> .							
2a)□								
3)⊠	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	tion of Claims							
4)⊠	Claim(s) 11-25 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. Claim(s) 11-25 is/are allowed. Claim(s) is/are rejected. Claim(s) is/are objected to.							
Applicat	tion Papers							
9)	The specification is objected to by the Examine	er.						
10)□	10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
	Applicant may not request that any objection to the							
11)	Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Ex	•			` '			
Priority	under 35 U.S.C. § 119							
12)⊠ a)	Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Burea See the attached detailed Office action for a list	ts have beer ts have beer prity docume au (PCT Rule	n received. n received in Applicati nts have been receive nt.2(a)).	on No ed in this National Stag	ie			
Attachmei	nt(s)							
1) 🛛 Noti	ce of References Cited (PTO-892)		4) Interview Summary					
3) 🛛 Info	ce of Draftsperson's Patent Drawing Review (PTO-948) rmation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) er No(s)/Mail Date		Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate atent Application (PTO-152))			

This application is in condition for allowance except for the following formal matters:

Objected Informalities

The disclosure is objected to because of the following informalities:

In The Claims

Claim 11, line 14, after "image" should be inserted -- . --.

Appropriate correction is required.

Objected Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the point source, a sample, a far field imager, the near-field microscopy being movable with respect to a surface of the sample, means for recording near-field data, the borders of the sample, means for obtaining far-field optical image data, means for recording the far-field optical image data, means for incorporating the far-field and the near-field optical data in deconvolution algorithms, and a deconvolved super-resolution image as recited in claim 11; the channels as recited in claim 12; a lens as recited in claim 14; an atomic force microscope for producing atomic force topography information as recited in claim 17, scanning the sample with the beam having subwavelength resolution to define optical contrast points on the sample as recited in claim 18; a closed loop as recited in claim 22; a scanned optical probe as recited in claim 23; scanned probe imaging combined with atomic force imaging to provide two near-field images as recited in claim 24; and

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data sets for deconvolving the optical images as recited in claim 25 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Prosecution on the merits is closed in accordance with the practice under *Ex* parte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO**MONTHS from the mailing date of this letter.

Claims 11-25 are allowed.

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Reasons for indicating allowable subject matter

The prior art fails to disclose a method for deconvolving far-field optical images, which includes means for incorporating far-field and near-field optical data in deconvolution algorithms using the data from the near-field imaging for added precision of the far-field imaging or as a constraint with the deconvolition algorithms to produce a deconvoved super-resolution image as recited in claim 11.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schotland et al. disclose a system and method for scanning near-field optical tomography.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet T. Nguyen whose telephone number is 571-272-2479. The examiner can normally be reached on Monday-Friday 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on 571-272-2477. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KN

KIET T. NGUYEN PRIMARY FXAMINER